

## **§ 1241.76**

(4) A final non-appealable judgment of a court of competent jurisdiction is entered, if you sought judicial review of the IBLA's decision and the Department or the appropriate court suspended compliance with the IBLA's decision pending the adjudication of the case.

(e) If you do not pay, that amount is subject to collection under the provisions of §1241.77.

### **§ 1241.76 Can ONRR reduce my penalty once it is assessed?**

Under 30 U.S.C. 1719(g), the Director or his or her delegate may compromise or reduce civil penalties assessed under this part.

### **§ 1241.77 How may ONRR collect the penalty?**

(a) ONRR may use all available means to collect the penalty including, but not limited to:

(1) Requiring the lease surety, for amounts owed by lessees, to pay the penalty;

(2) Deducting the amount of the penalty from any sums the United States owes to you; and

(3) Using judicial process to compel your payment under 30 U.S.C. 1719(k).

(b) If the Department uses judicial process, or if you seek judicial review under §1241.74 and the court upholds assessment of a penalty, the court shall have jurisdiction to award the amount assessed plus interest assessed from the date of the expiration of the 90-day period referred to in §1241.74. The amount of any penalty, as finally determined, may be deducted from any sum owing to you by the United States.

## **CRIMINAL PENALTIES**

### **§ 1241.80 May the United States criminally prosecute me for violations under Federal and Indian oil and gas leases?**

If you commit an act for which a civil penalty is provided at 30 U.S.C. 1719(d) and §1241.60(b), the United States may pursue criminal penalties as provided at 30 U.S.C. 1720, in addition to any authority for prosecution under other statutes.

## **30 CFR Ch. VII (7–1–12 Edition)**

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